

RULE 1170 DISCUSSION

Rule Requirements and History

Rule 1170 requires submittal of reports from Part 11-required continuous emission monitoring on a quarterly frequency. The reports detail excess emissions and their cause, along with monitor outages and the nature of repairs.

Rule 1170 was promulgated in 1980 and a minor change was made in 2002. The rule was approved as part of Michigan's State Implementation Plan (SIP) in 1988.

ORR Recommendation A-8

Rule 1170 should be amended to be consistent with the federal reporting requirements and limited to semi-annual reporting of excess emissions.

Analysis

The federal reporting requirements that resulted in promulgation of Rule 1170 are in 40 CFR Part 51, Requirements for Preparation, Adoption, and Submittal of Implementation Plans. Excerpts from 40 CFR 51.214 on Continuous Emission Monitoring:

(e) The procedures must require the source owner or operator to submit information relating to emissions and operation of the emission monitors to the State to the extent described in appendix P at least as frequently as described therein.

In Appendix P, Minimum Emission Monitoring Requirements, the pertinent language is:

4.1 The State plan shall require owners or operators of facilities required to install continuous monitoring systems to submit a written report of excess emissions for each calendar quarter and the nature and cause of the excess emissions, if known.

Part 11 of the Air rules requires continuous emissions monitoring for a limited number of source types and pollutants. In contrast, federal regulations in Part 60, New Source Performance Standards (NSPS), require emissions monitoring in many instances. The reporting frequency requirement in the NSPS regulations has been changed from quarterly reporting to allow for semi-annual reporting unless a specific Subpart requires more frequent reporting (40 CFR 60.7(c)). The Part 51 SIP reporting frequency requirement has not changed.

Recommendation

Due to the Part 51 SIP requirement, the reporting frequency in Rule 1170 cannot be changed.

In addition to investigating the federal requirements that led to creation of Rule 1170, AQD reviewed the current standard reporting language used in special conditions in

Permits to Install. The 'template' language was still reflecting the prior NSPS requirement of quarterly reporting. The template has now been updated to instruct the permit engineer to use quarterly reporting if the source is subject to Rule 1170 and use semi-annual if subject to NSPS, unless the specific NSPS Subpart requires more frequent reporting.